

## PROPOSED LANGUAGE

### Section 70: POWER TO FIX SALARIES COUNCIL CONSIDERATION OF SALARY ORDINANCE AND PROCEDURE FOR ADOPTION

- (a) The Council ~~has~~ shall have the power to fix salaries of the Mayor~~the City Manager~~, the City Clerk, ~~the City Treasurer~~, the City Auditor, ~~the Independent Budget Analyst and Comptroller~~, and all other officers under the Council's its jurisdiction. All members of Commissions shall serve without compensation except where otherwise provided by State law or this Charter. Except as otherwise provided by law, the Mayor ~~City Manager~~ and other departmental heads outside of the departments under control of the Mayor ~~City Manager~~ shall have power to ~~fix~~ recommend salaries and wages subject to the personnel classification determined by the Civil Service Commission, of all other officers and employees within the total amount contained in the Annual Appropriation Ordinance for personal service in each of the several departments of the City ~~Government~~.
- (b) The City Council must annually adopt an ordinance establishing compensation schedules for all City officers and employees. This ordinance is known as the Salary Ordinance, and it must be adopted no later than May 30 of each year after considering all relevant evidence including but not limited to the needs of the citizens of the City of San Diego for municipal services, local economic conditions and other relevant factors as the Council deems appropriate. The City Council must give priority in the funding of municipal services to the need of the citizens for police protection in considering adoption of the Salary Ordinance and the annual budget ordinance. The Salary Ordinance as approved by the Council becomes a controlling document for preparation of the Annual Appropriation Ordinance for the following fiscal year.
- (c) All increases and decreases of salary or wages of officers and employees must ~~shall~~ be consistent with the compensation schedules established by the Salary Ordinance determined at the time of the preparation and adoption of the budget, and in accordance with the Meyers-Milias-Brown Act or other

legal requirements governing labor relations that are binding upon the City.  
~~and n~~No such increases or decreases to the compensation schedules shall be  
effective prior to the fiscal year for which the budget is adopted; provided,  
~~however, that if~~If, during any fiscal year, the Council should find and  
determines that because of a significant change in living costs, the salaries  
and wages fixed for any such fiscal year are not comparable to the level of  
other salaries and wages of other public or private employments for  
comparable services and as a result, the best interests of the City are not  
being protected or are in jeopardy, the Council said Legislative Body, upon  
recommendation of the Mayor Manager or other department head, and if  
funds are available, may revise the such salary and wage compensation  
schedules to the extent necessary to protect the City's interests.

(d) The Council is prohibited from approving any scheme or formula which  
seeks to fix compensation of City employees at the level of compensation  
paid to employees of any other public agency whose governing body is not  
elected and is not accountable to the people of the City of San Diego. This  
prohibition also extends to any scheme or formula, which seeks to fix,  
establish, or adjust the compensation of City employees at the level of the  
largest cities in California or the State of California.

(e) No later than April 15 of each year, the Mayor must propose the Salary  
Ordinance for Council introduction, in a form consistent with any existing  
memoranda of understanding between the City and its recognized employee  
organizations in conformance with procedures governed by the Meyers-  
Miliias-Brown Act or any other legal requirements governing labor relations  
that are binding upon the City. Upon introduction by the Council, the Salary  
Ordinance must be transmitted to the Mayor.

(1) The Mayor must, within five business days of receipt of the Salary  
Ordinance introduced by the Council, either approve the Salary  
Ordinance as introduced or veto all or any specific provision  
within the Salary Ordinance.

(2) The Salary Ordinance must be returned to the Council within the  
five business day period either approved by the Mayor or  
accompanied by a statement explaining any reasons for the veto.

The Council must act on the Salary Ordinance within ten business days of receipt from the Mayor. If the Mayor has vetoed any provision or all of the Salary Ordinance, the Council must override the veto and approve the Salary Ordinance as introduced or otherwise accept the changes proposed by the Mayor in the veto statement and approve the Salary Ordinance at its second reading with the changes proposed by the Mayor.